

**IAP12 Rec'd PCT/PTO 06 AUG 2007**

**Practitioner's Docket No. 2793C/116**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**27 January 2005**

**PCT/CA05/000097**

**(27.01.05)**

**30 January 2004 (30.01.04)**

**International Application No.**

**International Filing Date**

**Priority Date Claimed**

**Nitriding Method for Improving Surface Characteristics of Cobalt-Chromium Based Alloys**

**Title of Invention**

**Patrovsky, Hubert**

**Applicant(s) for DO/US**

**Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
ATTENTION: DO/US**

**COMPLETION OF FILING REQUIREMENTS  
FOR INTERNATIONAL APPLICATION ENTERING NATIONAL  
STAGE IN U.S. DESIGNATED OFFICE (DO/US) UNDER 35 U.S.C. § 371**

This replies to the Notice of Missing Requirements under 35 U.S.C. § 371 and 37 C.F.R. § 1.494 (FORM PCT/DO/EO/905).

A copy of FORM PCT/DO/EO/905 accompanies this response.

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**EXPRESS MAILING UNDER 37 C.F.R. § 1.10\***

*(Express Mail label number is mandatory.)*

*(Express Mail certification is optional.)*

I hereby certify that this paper, along with any document referred to, is being deposited with the United States Postal Service on this date August 6, 2007 in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 as "Express Mail Post Office to Addressee" Mailing Label No. EV 626471958 US.



Type or print name of person mailing paper

Date: August 6, 2007

Timothy M. Murphy

*Signature of person certifying*

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

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"Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

## **DECLARATION OR OATH**

- I.** No original declaration or oath was filed. Enclosed is the original declaration or oath for this application.

## **INFORMATION DISCLOSURE STATEMENT**

- II.** Enclosed herewith for filing is an Information Disclosure Statement Within Three Months of Filing or Before Mailing of First Office Action

## **FEES**

**III.**

1. Surcharge fees

Surcharge for filing the oath or declaration later than thirty months from the priority date pursuant to § 1.495(c): \$65.00

**Total Fees      \$65.00**

## **SMALL ENTITY STATUS**

- IV.** An assertion that this filing is by a small entity was made by paying the basic national fee as a small entity.

## **EXTENSION OF TIME**

- V.** The proceedings herein are for a patent application. The provisions of 37 C.F.R. section 1.1 36(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

## **TOTAL FEE DUE**

- VI.** The total fee due is:

Completion fee(s)      \$65.00

**TOTAL FEE DUE    \$65.00**

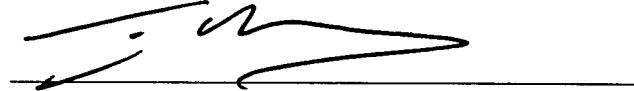
## PAYMENT OF FEES

VII. Authorization is hereby made to charge the amount of \$65.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this paper is attached.

Date: August 6, 2007



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2793C/00116 717848.1

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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/588,132	Hubert Patrovsky	2793C/116

2101  
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AUG 01 2007

BROMBERG &amp; SUNSTEIN LLP

INTERNATIONAL APPLICATION NO.

PCT/CA05/00097

I.A. FILING DATE	PRIORITY DATE
01/27/2005	01/30/2004

CONFIRMATION NO. 4360

371 FORMALITIES LETTER



\*OC000000025090124\*

Date Mailed: 07/30/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/31/2006.
- Copy of the International Search Report filed on 07/31/2006
- Oath or Declaration filed on 07/31/2006
- Request for Immediate Examination filed on 07/31/2006
- U.S. Basic National Fees filed on 07/31/2006
- Priority Documents filed on 07/31/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

## SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- \$65 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

KAREN R MCLEAN

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Telephone: (703) 308-9140 EXT 214

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/588,132	PCT/CA05/00097	2793C/116

FORM PCT/DO/EO/905 (371 Formalities Notice)